

**VIRGINIA: IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA**

**In re: Christopher Joseph Matisa
Sandra Matisa
DBA Kiss of Ink, LLC
Debtors**

Case No. 16-34506-KRH

Chapter 13

RICHMOND DIVISION

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MAY 22 2017

CLERK
U.S. BANKRUPTCY COURT

WRITTEN RESPONSE TO NOTICE OF OBJECTION TO CLAIM

#5 Respondent JR Direct is a business entity which is not registered to do business with the Virginia State Corporation Commission.

Response #5 Jeff Ribera dba JR Direct is an individual. See attachment Proof of Claim 09/22/2016 under Name of Creditor that was filed with the court.

#9 The Proof of Claim is not executed by the creditor or the creditor's agent.

Response #7-9 Jeff Ribera dba JR Direct is the assignee of record on this judgment. See attachment Civil Case Details GV10000129-02. See Proof of Claim attachment with listing of Creditor.

First Objection #11-

The Proof of Claim filed is not the appropriate Official Form.

Response

The claim was filed in September, 2016. The form was changed April, 2016. The court accepted the form and did not require re-submitting on recent updated form.

Second Objection #13

The Proof of Claim is not executed by anyone, and not by the creditor or authorized agent

Response

Jeff Ribera as Creditor signed the Proof of Claim. See attachment of Proof of Claim 09/22/2016

Third Objection #14

The debtors (sic) listed the debt as "unknown", meaning they do not know the correct amount of the claim and request strict proof thereof.

Response

Line 2 of the Proof of Claim filed lists "credit card" as the type of debt. An attachment of an interest statement was also filed breaking down the complete debt with principal, costs, and interest.

See Proof of Claim 09/22/2016 attachment and interest statement.

WHEREFORE, Creditor Jeff Ribera dba JR Direct did submit an acceptable Proof of Claim to the Appomattox General District Court on 09/22/2016, stating the type of debt and attaching support for the claim, respectfully request the court to allow this claim.



Jeff Ribera
dba JR Direct

5-9-17

Date

B10 (Official Form 10) (04/13)

UNITED STATES BANKRUPTCY COURT Eastern District of Virginia		PROOF OF CLAIM						
Name of Debtor: Sandra Stilwell	Case Number: 16-34506-KRH	COURT USE ONLY						
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.								
Name of Creditor (the person or other entity to whom the debtor owes money or property) Jeff Ribera dba JR Direct(a/o DS Funding, LLC.....Washington Mutual Bank)								
Name and address where notices should be sent: JR Direct 3802 Rosecrans St #536 San Diego, CA 92110		<input type="checkbox"/> Check this box if this claim amends a previously filed claim.						
Telephone number: (619) 222-7700 email: jrdirect7700@gmail.com		Court Claim Number: _____ <i>(If known)</i> Filed on: _____						
Name and address where payment should be sent (if different from above): Telephone number: _____ email: _____		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.						
<p>1. Amount of Claim as of Date Case Filed: \$ 13,041.47</p> <p>If all or part of the claim is secured, complete item 4.</p> <p>If all or part of the claim is entitled to priority, complete item 5.</p> <p><input checked="" type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.</p> <p>2. Basis for Claim: credit card (See instruction #2)</p> <p>3. Last four digits of any number by which creditor identifies debtor: _____</p> <p>3a. Debtor may have scheduled account as: _____ (See instruction #3a)</p> <p>3b. Uniform Claim Identifier (optional): _____ (See instruction #3b)</p> <p>4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff. attach required redacted documents. and provide the requested information.</p> <p>Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____</p> <p>Value of Property: \$ _____</p> <p>Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)</p> <p>5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.</p> <table> <tbody> <tr> <td><input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).</td> <td><input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).</td> <td><input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).</td> </tr> <tr> <td><input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507 (a)(7).</td> <td><input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).</td> <td><input type="checkbox"/> Other – Specify _____ applicable paragraph of 11 U.S.C. § 507 (a)(____).</td> </tr> </tbody> </table> <p><i>*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment</i></p> <p>6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)</p>			<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).	<input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other – Specify _____ applicable paragraph of 11 U.S.C. § 507 (a)(____).
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).						
<input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other – Specify _____ applicable paragraph of 11 U.S.C. § 507 (a)(____).						

7. Documents: Attached are **redacted** copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and **redacted** copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "**redacted**".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

I am the creditor. I am the creditor's authorized agent. I am the trustee, or the debtor, or their authorized agent. I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3004.) (See Bankruptcy Rule 3004.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Jeff Ribera
 Title: Judgment Creditor
 Company: JR Direct
 Address and telephone number (if different from notice address above):


 (Signature)

5-19-17
 (Date)

Telephone number: _____ email: _____

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a).
 If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest and documents required by FRBP 3001(c) for claims based on an open-end or revolving consumer credit agreement or secured by a security interest in the debtor's principal residence. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the

Proof of Claim statement Sect. #1 for Jeff Ribera dba JR Direct re: Sandra Stilwell

Default Judgment: 04/13/2010 Appomattox GDC

Principal Amount: \$ 3,825.82

Court Costs: \$ 53.00

Garnishment \$ 97.00

Interest Award: 31.99

from 04/17/09

Interest as of date of filing \$ 9065.65

\$ 3,825.82

53.00

97.00

9,065.65

\$13,041.47

Appomattox General District Court



Civil Case Details

Appomattox General District Court

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Case Information

Case GV10000129-02
 Number :
 Case Interrogatory/Judge
 Type :

Filed 06/28/2016
 Date :
 Debt
 Type :

Plaintiff Information

Name	DBA/TA
D S FUNDING LLC/ JEFF RIBERA	JR DIRECT FUNDING

Address	Judgment	Attorney
		EPPS, M RICHARD

Defendant Information

Name	DBA/TA	Address	Judgment	Attorney
STILWELL, SANDRA		PAMPLIN, VA 23958		NONE

Hearing Information

Date	Time	Result	Hearing Type	Courtroom
09/13/2016	09:00 AM	Other		

Service/Process

Reports

Judgment Information

Judgment :	Costs :	Attorney Fees :
Principal Amount :	Other Amount :	Interest Award :
Possession :	Writ Issued Date :	Homestead Exemption Waived :
Is Judgment Satisfied :	Date Satisfaction Filed :	Other Awarded :
Further Case Information :		

Garnishment Information

Appeal Information

Appeal Date :	Appealed By :
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